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TOBINICK 3.0-009(CIP)(DIV I)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 22 2002

TECH CENTER 1600/2900

In re patent application of:
EDWARD L. TOBINICK

:

U.S. Serial No. 09/665,529

:

Group Art Unit 1614

Filed: September 19, 2000

:

Examiner William R. A. Jarvis

For: TNF INHIBITORS FOR THE
TREATMENT OF NEUROLOGICAL
RETINAL AND MUSCULAR
DISORDERS

:

November 13, 2001

#8
OUP
3-2-02

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sir:

This is in response to the first Office Action.

REMARKS

The Examiner has rejected Claims 30 to 49 and 98 under 35 U.S.C. 103 over the references to Sadun, Dick(I), Dick(II), and Sippy.

Both of the Dick articles discuss the treatment of experimental autoimmune uveoretinitis (EAU) in Lewis rats. First, EAU is an artificially-produced condition with no exact naturally-occurring disease correlate, even in rats. But even if it had an exact disease correlate in rats, which it does not, one could not predict that the same artificially-produced